

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Hello Livingston Extended LLC,

Chapter 11

Case No. 23-22422 (SHL)

Debtor.

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**OBJECTION TO MOTION FOR ENTRY OF AN ORDER (A) APPROVING  
DISCLOSURE STATEMENT; (B) ESTABLISHING TREATMENT OF CLAIMS FOR  
NOTICE AND VOTING PURPOSES; (C) ESTABLISHING DEADLINES AND  
PROCEDURES FOR TEMPORARY ALLOWANCE OF CLAIMS FOR VOTING  
PURPOSES; (D) APPROVING SOLICITATION PACKAGES AND PROCEDURES FOR  
DISTRIBUTION; (E) APPROVING FORM OF BALLOTS AND NOTICES OF NON-  
VOTING STATUS; (F) ESTABLISHING VOTING DEADLINE AND PROCEDURES  
FOR TABULATION OF VOTES; (G) SCHEDULING HEARING ON CONFIRMATION  
OF PLAN; (H) APPROVING FORM AND MANNER OF NOTICE OF  
CONFIRMATION HEARING AND PROCEDURES FOR FILING OBJECTIONS TO  
CONFIRMATION OF PLAN; AND (I) GRANTING RELATED RELIEF**

**TO THE HONORABLE SEAN H. LANE  
UNITED STATES BANKRUPTCY JUDGE:**

Prestige Construction NY LLC (“**Prestige**”), by and through its undersigned counsel Silverman Law PLLC and Ravin Greenberg, LLC, for its objection to the motion (the “**Motion**”) of Hello Livingston Extended LLC, the above-captioned debtor and debtor in possession (the “**Debtor**”), seeking the entry of an order approving its Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code with Respect to the Debtor’s Chapter 11 Plan of Liquidation dated July 7, 2023 (as may be amended, the “**Disclosure Statement**”), and granting relating relief with respect to the Chapter 11 Plan of Liquidation dated July 7, 2023 (as may be amended, the “**Plan**”), and respectfully represents as follows:

1. Prestige is a contracting company who provided contracting services (collectively, the “**Services**”) to the Debtor at the property known as and located at 291 Livingston Street,

Brooklyn, New York (the “**Property**”), which Services amount to \$363,597.39, plus accrued interest, or fees, costs and expenses associated with collection (the “**Claimed Amount**”).

2. On or about July 20, 2022, Prestige filed a mechanics’ lien with Clerk of Kings County, New York, which perfected a security interest against the Property for the Claimed Amount (the “**Lien**”). A true and correct copy of the Lien is attached to the Claim (defined below).

3. On or about July 18, 2023, Prestige filed an extension of the Lien, a copy of which is attached to the Claim.

4. On September 1, 2023, Prestige filed a claim for the Claimed Amount, which claim has been designated claim no. 14 on the Debtor’s claims register (the “**Claim**”), which does not include, among other things, accrued interest.

5. Prestige has reviewed the Plan and Disclosure Statement which characterizes all mechanics’ liens against the Debtor and the Property, including the Lien, as Class 3 unsecured claims.

6. Prestige believes that the Lien, a properly perfected secured claim (as well as, any other properly perfected mechanics’ liens), is misclassified as an unsecured claim, and that as a result, the Disclosure Statement is inadequate and should not be approved as filed.

7. While Prestige is aware that objection to the classification of the Lien may be an issue for confirmation, Prestige believes it important to preserve its rights and put all parties in interest on notice of this objection.

8. Prestige reserves the right to further object to other terms of the Plan in the future.

**WHEREFORE** Prestige respectfully requests that the Motion be denied because the Disclosure Statement as written is inadequate given its mischaracterizations of the Lien, as well as any other mechanics' liens properly perfected against the Debtor and the Property.

Dated: Livingston, New Jersey  
September 1, 2023

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